IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.413 OF 2005

Bhimrao Ramrao Shinde ...Petitioner.

Versus

Asst.Commissioner, B.M.C.
and Ors. ...Respondents.

....

Ms.V.S.Jagdale, Advocate for the Petitioner.
Mrs.A.K.Savla, Advocate for the Respondent.

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CORAM : **F.I.REBELLO AND SMT.V.K.TAHILRAMANI,JJ.**

DATED : **JUNE 14, 2006.**

P.C.:

. The permission granted by the respondent corporation for repair was in respect of a structure admeasuring 18 ft. X 22 ft.. The corporation issued notices to the petitioner on the ground that he exceeded the area. After the said show cause, notices have been issued under Section 488 of the Act. The case of the petitioner is that in the application the area shown by him was 31 ft. X 22 ft. and that ought to have been considered. There is relevant record of the corporation. In the records of the corporation the area was shown as 18 ft. X 22

ft.. The fact that the petitioner has shown the area as 31 ft. X 22 ft. by itself indicates that there is illegal construction. Considering the above, it is not a fit case to exercise our extra ordinary jurisdiction. Petition disposed of.

[F.I.REBELLO,J.]

[SMT.V.K.TAHILRAMANI,J.]